IN THE HIGH COURT OF JUDICATURE OF BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.428 OF 2005

M/s.West Coast Waterbase Pvt.
Ltd.& Ors. ..Petitioners.

V/s.

M/s.Naik Frozen Foods Pvt.Ltd. & Ors. ..Respondents.

Mr.V.Z.Kankaria for S.S.Deshmukh for petitioners.

Mr.Ganesh Gole for Respondent No.1.

Ms.S.V.Gajare, APP for State.

CORAM: A.M.KHANWILKAR,J
DATE : DECEMBER 14, 2005.

P.C. :

1. Heard. The grounds raised before this Court can be effectively answered by the Revisional Court.

2. As alternative efficacious remedy is available to the petitioners by way of revision before the Sessions Court in view of the decisions of this Court in the cases of **V.K.Jain & Ors. vs. Pratap V.Padode reported in 2005(3) Mh.L.J. 778** and in the unreported Judgment in the case of **Chetan R. Nagda & Ors. V/s.N.D.Pawar & Ors. in Cri.W.P. No.1023 of 2005 dated 8th December, 2005,** no interference is warranted.

3. This petition is disposed of with liberty to take recourse to remedy of revision, if so advised.

All questions are left open.

4. The petitioners to file such Revision Application within four weeks from today. Till such time, no precipitative action be taken against the Petitioners. Revision Application, if filed within four weeks from today, be considered on its own merits in accordance with law.

5. In case, there is delay in filing Revision Application, Court will take into account the fact that the petitioners had first approached this Court, which period may be excused in computing delay.

6. Petitions disposed of on the above terms.